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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/805,831	03/22/2004	Mary E. Alwin	201141.00093	1505	
21324 7590 12/26/2006 HAHN LOESER & PARKS, LLP One GOJO Plaza Suite 300 AKRON, OH 44311-1076			EXAMINER		
			IP, SIKYIN		
			ART UNIT	PAPER NUMBER	
			1742		
SHORTENED STATUTORY	Y PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE		
31 D/	AYS	12/26/2006	ELECTRONIC		

## Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 31 DAYS from 12/26/2006.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@hahnlaw.com akron-docket@hotmail.com

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply with, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  Status  1) Responsive to communication(s) filed on 22 March 2004.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are rejected.  7) Claim(s) is/are objected to.  8) Claim(s) 1-20 are subject to restriction and/or election requirement.			1/	_			
### Period for Repty  ART Unit   1742		Application No.	Applicant(s)	_			
Sikyin to   1742		10/805,831	ALWIN, MARY E.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ∫ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Educations of them riply to evaluate and the provided with apply and will expire SIX (5) MONTH'S from the malting date of this communication. It is to provide to reply it apposited above, the maintain statutory printed will apply and will expire SIX (5) MONTH'S from the malting date of this communication. Failute or previously within the set of sended period for riply will. by statuke, cause the application (5) six S.C. \$ 133. Any propy received by the Office lister has histen maintained. Six SIX Any propy received by the Office lister has histen and statutors.  **STATUS**  **This action is FINAL.  **2b)	Office Action Summary	Examiner	Art Unit	_			
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  ■ Extensible to fine may be ambitished under the providence of 37 °CPR 1.30(a). In or event, however, may a reply be limitely filled  ■ 18 NO parce for sayle is specified above, the maximum statusory parked will be providenced for reply with in the end of the status of parked will be providenced by the fill of the parked by the fill of the control of the parked by the fill of the control of the parked by the fill of the control of the communication, even if filled \$\text{providence}\$ filled to fill this communication. Parked by the fill of the parked by the parked by the fill of the parked by the fill of the parked by the park		Sikyin Ip	1742				
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 3°CFR 1138(b). In no event, however, may a reply be timely filled after 50 K (b) MONTHS from the making date of this communication. The provision of the communication of the co	The MAILING DATE of this communication ap Period for Reply	pears on the cover sheet with the o	correspondence address				
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## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-10 are, drawn to an alloy steel sheet, classified in class 148, subclass 320+.
- II. Claims 11-20 are, drawn to a method of making an alloy steel sheet, classified in class 148, subclass 540+.

The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process as claimed can be used to make another and materially different product with Ni content at least half of copper content.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required

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because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Applicant is reminded that when amendment and/or revision is required, applicant should therefore specifically point out the support for any amendments made to the disclosure. See 37 C.F.R. § 1.121; 37 C.F.R. Part §41.37 (c)(1)(v); MPEP §714.02; and MPEP §2411.01(B).

## **Examiner Correspondence**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Ip whose telephone number is (571) 272-1241. The examiner can normally be reached on Monday to Friday from 5:30 A.M. to 2:00 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Roy V. King, can be reached on (571)-272-1244.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SIKYIN IP PRIMARY EXAMINER ART UNIT 1742

S. lp December 18, 2006